

# EXHIBIT 9

Patti Nemeth, M.D.

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UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

- - -

IN RE DEPAKOTE: :  
RHEALYN ALEXANDER, :  
et al., : No.  
Plaintiffs, : 12-52-NJR-SCW  
vs. :  
ABBOTT LABORATORIES, :  
INC., :  
Defendant. :  
- - -

DEPOSITION UNDER ORAL EXAMINATION OF  
PATTI NEMETH, M.D.

9:00 a.m.

Rio Rancho, New Mexico

- - -

REPORTED BY: DANA SREBRENICK, CRR, CLR

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1 Q. Dr. Nemeth, you prescribed Depakote for  
2 Ms. Sansone during the remainder of her first  
3 pregnancy and also throughout her second pregnancy  
4 with A.S. , the child that's the subject  
5 of this lawsuit, because in your professional  
6 medical judgment, you thought it was the very best  
7 medication for her at the time based on her  
8 individualized medical history and experience?

9 MR. BROSS: Object to form.

10 BY MR. KLATT:

11 Q. To your knowledge, correct?

12           A.       Yes.  Yes, that's true and the reason was  
13        that I didn't have any other choices at the time  
14        other than Lamictal, which was a class C, and she  
15        didn't tolerate that.

16 Q. Well, that -- you anticipated my next  
17 question. Subsequently, she was tried on other  
18 newer epileptic drugs that didn't have the safety  
19 or efficacy track record that Depakote had,  
20 correct?

21           A.       It had better -- some with better safety,  
22        that would be class C, is that what you mean?

23           Q.     Well, I guess -- let me rephrase my  
24 question.

25 You knew as of 2003 that Ms. Sansone had,

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CERTIFICATION

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4 I, DANA N. SREBRENICK, a Certified Court  
5 Reporter for and within the State of New Mexico,  
6 do hereby certify:

7 That the witness whose testimony as herein  
8 set forth, was duly sworn by me; and that the  
9 within transcript is a true record of the  
10 testimony given by said witness.

11 I further certify that I am not related to  
12 any of the parties to this action by blood or  
13 marriage, and that I am in no way interested in  
14 the outcome of this matter.

15 IN WITNESS WHEREOF, I have hereunto set my  
16 hand this 5th day of October 5, 2016.

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19 DANA N. SREBRENICK, CLR, CRR

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